

**MINUTES OF THE MARINE ADVISORY BOARD  
100 NORTH ANDREWS AVENUE  
COMMISSION CONFERENCE ROOM – EIGHTH FLOOR  
FORT LAUDERDALE, FLORIDA  
THURSDAY, JUNE 2, 2016 – 6:00 P.M.**

<b><u>Board Members</u></b>		<b>Cumulative Attendance May 2016 - April 2017</b>	
		<b><u>Present</u></b>	<b><u>Absent</u></b>
	Attendance		
James Harrison, Chair	P	2	0
F. St. George Guardabassi, Vice Chair	P	2	0
Jim Welch	P	1	1
Robert Dean	P	1	1
John Holmes	A	0	2
Joe Cain	P	1	1
George Cable	A	0	2
Jack Newton	P	1	1
Jimi Batchelor	P	2	0
Cliff Berry II	P	2	0
Grant Henderson	P	2	0
Bill Walker	P	2	0
Zane Brisson	P	2	0
Richard Graves	P	2	0
Chuck Black	P	2	0

As of this date, there are 15 appointed members to the Board, which means 8 would constitute a quorum.

**Staff**

Andrew Cuba, Manager of Marine Facilities  
Jonathan Luscomb, Supervisor of Marine Facilities  
Officer Chris Clemons, Marine Police Staff  
Chief Tim Heiser, Fort Lauderdale Fire Department  
Brigitte Chiappetta, Recording Secretary, Prototype, Inc.

**Communications to City Commission**

None.

**I. Call to Order / Roll Call**

Chair Harrison called the meeting to order at 6:00 p.m. and roll was called.

**II. Approval of Minutes – May 5, 2016**

**Motion** made by Vice Chair Guardabassi, seconded by Mr. Henderson, to accept the minutes. In a voice vote, the **motion** passed unanimously.

### **III. Statement of Quorum**

It was noted that a quorum was present.

### **IV. Waterway Crime & Boating Safety Report**

Officer Chris Clemons of the Marine Unit reported that during the month of May there were eight incidents, including three burglaries from vessels. The Marine Unit issued 11 citations, 57 warnings, and conducted 56 safety checks.

Ofc. Clemons confirmed that an alert was sent out by the Broward Sheriff's Office (BSO) tying one theft to a ring of thieves in Miami. There is currently no additional news on the thefts discussed at the May 2016 meeting.

Mr. Cain requested an update on ongoing anchoring and safety sticker issues. Ofc. Clemons replied that no plans are in place for State-supplied inspection stickers at this time. He added that the Florida Fish and Wildlife Commission (FWC) will conduct training sessions for law enforcement on Thursday and Friday, May 9 and 10, 2016. Members of the Marine Unit plan to attend these training sessions. Ofc. Clemons advised that he would bring a PowerPoint presentation back to the Marine Unit and will send it to Mr. Cuba's office for dissemination to the Board as well.

He continued that the Marine Unit's schedule will remain the same in the near future, with an evening shift to enforce new regulations regarding anchoring. This shift is funded through Marine Law Enforcement Grant (MLEG) dollars.

Chief Tim Heiser of the Fort Lauderdale Fire Department reported that during the past month, the following incidents occurred:

- One capsized vessel
- One boating accident
- A car in a canal
- Two incidents of hazardous materials floating in the water
- One boat fire
- Nine persons in distress / drownings
- Five medical calls on the water

Chief Heiser continued that Marine members attended a search-and-rescue class sponsored by the Coast Guard and participated in additional Coast Guard training with helicopter operations. He added that construction has begun on the new fire boat and the Department has made its first payment on this vessel, which is being built in Canada.

Chief Heiser concluded that the new fire boat will deploy from Fire Station #49, the same location as the current vessel. He noted that this location is the subject of a proposed land swap to which the Department has not agreed thus far. An improved plan for this station has been requested.

**V. Discussion – Code Sec. 8-166 (c) Speed Limits in Waterways – Watersports Activities Area**

Mr. Batchelor explained that at present, areas designated for waterskiing and other water sports only allow these activities from a 21 ft. (or smaller) and single-engine (or smaller) vessel. He pointed out that this represents only a very small segment of boats and eliminates the participation of many boaters who would like to take part in these activities. He concluded that the Board should consider advocating a change to this rule.

Chair Harrison asked if the reason behind this limitation was known. Ofc. Clemons replied that run zones allow 15 in. wakes at 25 miles per hour (MPH) or less, while ski zones do not have wake restrictions but instead have speed and size restrictions. Mr. Batchelor noted that the wake differential between 21 ft. and larger vessels would depend upon how the boat is propelled. Chair Harrison stated that he felt the height of wakes would be a more important measurement than the length of vessels, although he agreed that these would be difficult to gauge and enforce.

Ofc. Clemons advised that he has never written a citation for a relatively small wake from a small vessel, but instead enforces restrictions on clearly excessive wakes typically generated by larger boats. Depending upon the zone, ski zones require boats not participating in water sports to pass through with either a minimum or idle wake. The Marine Unit typically receives calls from homeowners who are aware of the size restriction in ski zones, although they do not often receive wake calls. More calls come from the Middle River area than other City waterways.

Ofc. Clemons continued that at an earlier time, ski boats were typically single-engine, 19 ft. vessels. Like other boats, ski boats are now growing to 21 ft., 24 ft., and larger, with single and dual engines. Mr. Batchelor stated that his recommendation would change the restriction to 23 ft. vessels with no restrictions on engine size or number of engines.

Mr. Berry commented that he resides on the Middle River and owns a small boat that fits the existing criteria for water sports and skiing areas. He emphasized that the restrictions focus less on the weight of vessels than on safety. He agreed that 23 ft. was not unreasonable for vessels participating in water sports, but advised that he would not support any suggestion of larger vessels. Mr. Batchelor agreed, adding that he was not in favor of speeds over 35 MPH for skiers.

Mr. Cuba offered to compile a report reflecting the steps neighborhood communities are taking to address this issue and provide it to Board members prior to the next scheduled meeting.

## **VI. Reports**

Mr. Luscomb reported that he and Chair Harrison participated in the Selection Committee tasked with reviewing the bids submitted in response to the Las Olas Marina RFP. This Committee met in May and recommended that the City Commission approve the bid submitted by SunTech. The competing bidder, IGY, subsequently submitted a letter to the City Commission alleging that there were questionable aspects to SunTech's submission. The City Auditor has deferred this issue until June 7, 2016, pending financial investigation of SunTech.

Mr. Luscomb continued that while IGY's bid addressed the concept of lineal dockage, there were concerns regarding the size of aisles between slips. SunTech did not submit a package including lineal dockage.

Mr. Luscomb advised that both bidding entities met required aspects of the RFP, including how much money would be generated for the City. The minimum rent required by the City was \$1 million, which must be averaged over a 10-year period. The City's consultant has suggested a rent abatement period of three years. The most recent rate of return on the current marina is approximately \$1.6 million, although Mr. Luscomb pointed out that the RFP did not make clear how the City accounted for this figure.

Mr. Dean recalled that the City Manager had wished to ensure that a bidding entity could make a profit at the Las Olas Marina before proceeding with plans to redevelop the facility.

Mr. Luscomb concluded that the maximum allowable boat length proposed by SunTech was 150 ft. to 200 ft. The length of the proposed lease is not yet known.

Mr. Welch commented that the City has successfully operated the marina facility for 55 years, and he did not feel it should be leased to a developer who would take a share of its income. Mr. Luscomb encouraged all Board members to attend an upcoming public hearing at which the marina issue would be addressed.

## **VII. Old / New Business**

None.

## **VIII. Adjournment**

There being no further business to come before the Board at this time, the meeting was adjourned at 6:52 p.m.

Marine Advisory Board

June 2, 2016

Page 5

Any written public comments made 48 hours prior to the meeting regarding items discussed during the proceedings have been attached hereto.

[Minutes prepared by K. McGuire, Prototype, Inc.]